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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,533	12/28/2000	Robert Adams	042390.P9895	6958

7590 01/22/2007  
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EXAMINER
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BLAIR, DOUGLAS B

ART UNIT	PAPER NUMBER
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2142

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/22/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/750,533	<b>Applicant(s)</b> ADAMS ET AL.	
	<b>Examiner</b> Douglas B. Blair	<b>Art Unit</b> 2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Response to Amendment***

1. Claims 1-32 are currently pending in this application.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3, 5-10, 12, 14-16, 18, 20-21, and 28-32 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,397,336 to Leppek.
4. Leppek teaches the invention (as claimed in exemplary claim 16) including a communications system, comprising: a computer-readable medium; and computer-readable program code, stored on the computer-readable medium, adapted to be loaded and executed on the communications system, the computer-readable code performing, monitoring communications between a plurality of users and a user having a shared resource (col. 4, lines 59-64), determining social network data from the communications between each of the plurality of users and the user having the shared resource (col. 5, lines 30-44) wherein the social network data is based on varying degrees of interactions between each of the plurality of users and the user having the shared resource (col. 5, line 62-col. 6, line 11), determining an access level for each of the plurality users based on the social network data (col. 5, lines 45-61), and configuring

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an access control list to provide each of the plurality of users the access level determined for accessing the shared resource (col. 5, lines 45-61).

5. Leppek teaches a communications system (as in claim 18) wherein the social network data includes the claimed specific details of claim 18 (col. 5, lines 45-61).

6. Leppek teaches a communications system (as in claim 20) wherein the access control list includes a user identification and the access level for the user (col. 6, lines 25-59).

7. Leppek teaches a communications system (as in claim 21) wherein the resource is a computer system (Figure 2).

8. Leppak teaches a communication system (as in claim 29) that continuously updates the access control list to add and remove entries or to change access leaves as users transition in and out of a social network as communications between the users change (col. 6, lines 25-59).

9. Leppek teaches a method (as in claim 30) wherein the communications comprise one or more of emails, instant messages, file transfers, commands sent from one computer system to another, and any other types of communications performed between the plurality of users and the user having the shared resource (col. 6, lines 25-59).

10. Leppek teaches a method (as in claim 31) wherein determining social network data comprises: identifying communications from the user having the shared resource to each of the plurality of users (col. 6, lines 25-59); identifying communications from each of the plurality of users to the user having the shared resource (col. 6, lines 25-59); and tallying each identified communication for each of the plurality of users (col. 6, lines 25-59).

11. As to claim 32, Leppek teaches a method wherein determining an access level comprises: obtaining a total number of communications with the user having the shared resource for each of

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the plurality of users based on the social network data (col. 6, lines 25-59); comparing the total number of communications for each of the plurality of users to an access level table to obtain the access level, the access level table comprising a plurality of access levels based on the that number of communications (col. 6, lines 25-59); and assigning an access level to each of the plurality of users (col. 6, lines 25-59).

12. As to claims 1, 3 and 5-6, they feature the same limitations as claims 16, 18 and 20-21 and are rejected for the same reasons as claims 16, 18 and 20-21.

13. As to claims 7, 12, and 14-15, they feature the same limitations as claims 16-18 and 20-21 and are rejected for the same reasons as claims 16-18 and 20-21.

14. As to claim 28, it is rejected for the same reason as claim 29.

15. As to claim 8, Leppek teaches a social network including a shared resource provider to provide to each of the plurality users access to the shared resource based on the access control list (col. 6, lines 25-59).

16. As to claim 9, Leppek teaches a social network wherein the social network monitor and the social network access controller reside on a single system (Figure 2, the system can be interpreted broadly).

17. As to claim 10, Leppek teaches a social network wherein the social network monitor and the social network access controller reside on separate systems (Figure 2).

***Claim Rejections - 35 USC § 103***

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 11, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,397,336 to Leppek in view of U.S. Patent Number 6,925,567 to Hirata.

As to claims 2, 11, and 17, Leppek teaches the subject matter of claims 1, 7, and 16; however Leppek does not specifically describe the type of communications.

Hirata teaches a method of access a resource via email communications (col. 8, lines 22-52).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Leppek regarding the management of resources in a network with the teachings of Hirata regarding email communications because Leppek does not specifically mention a communication technique and Hirata shows one possible technique.

19. Claims 4, 13, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,397,336 to Leppek in view of U.S. Patent Number 6,044,466 to Anand et al..

20. As to claim 19, Leppek teaches the subject matter of claim 16; however Leppek does not teach the access level as being the specifically claimed permissions.

Anand teaches a dynamic access policy including the specifically claimed permissions information (col. 5, lines 1-16).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Leppek regarding managing the access of user's to a system with the teachings of Anand regarding a dynamic access policy including

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permissions because the specifically claimed permissions prevent unauthorized access to resources (Anand, col. 1, lines 37-42).

21. As to claims 4 and 13, they feature the same limitations as claim 19 and are rejected for the same reasons as claim 19.

22. Claims 22, 24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,397,336 to Leppek in view of U.S. Patent Number 6,654,787 to Aronson et al..

23. As to claim 22, Leppek teaches the method of claim 1; however Leppek does not explicitly locating a keyword in a communication.

Aronson teaches a social network including monitoring communication for particular keywords, wherein the access level is granted based on the number of occurrences of the particular keywords (col. 5, lines 50-67).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Leppek regarding managing the access of users to a system with the teachings of Aronson regarding monitoring for a keyword because keywords are useful for eliminating unwanted emails (Aronson, col. 5, lines 50-67).

24. As to claims 24 and 26, they are rejected for the same reasons as claim 22.

25. Claims 23, 25, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,397,336 to Leppek in view of U.S. Patent Number 6,654,787 to Aronson et al. in further view of U.S. Patent Number 6,711,570 to Goldberg et al..

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26. As to claim 23, the Leppek-Aronson combination teaches the use of keywords for filter communications; however the Leppek-Aronson combination does not explicitly teach the weighting of keywords.

Goldberg teaches different weights may be assigned to different keywords, wherein certain keywords have higher weights than other keywords (col. 6, lines 17-50).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of the Leppek-Aronson combination regarding filtering communications using keywords with the teachings of Goldberg regarding weighting of keywords because weighting makes for better filters (Goldberg, col. 6, lines 17-50).

27. As to claims 25 and 27, they are rejected for the same reasons as claim 23.

### ***Response to Arguments***

28. Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

29. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after



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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

30. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B. Blair whose telephone number is (571) 272-3893. The examiner can normally be reached on 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Douglas Blair

DBB



ANDREW CALDWELL  
SUPERVISORY PATENT EXAMINER